

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

No. 22-11897-GG

AARON BONENFANT,
AARON PRATHER,
ADAM SCHNEIDER,
AIDA CRUZ,
AIESHAH LOWE, et al.

Plaintiffs-Appellants,

versus

3M COMPANY,
3M OCCUPATIONAL SAFETY LLC,
AEARO HOLDING, LLC,
AEARO INTERMEDIATE, LLC,
AEARO, LLC,
AEARO TECHNOLOGIES, LLC,

Defendants-Appellees.

No. 22-12273-GG

CARL ANTOINE D. SYLVAIN,

Plaintiff-Appellant,

versus

3M COMPANY,
3M OCCUPATIONAL SAFETY LLC,
AEARO HOLDING, LLC,
AEARO INTERMEDIATE, LLC,
AEARO, LLC,
AEARO TECHNOLOGIES, LLC,

Defendants-Appellees.

No. 22-12403-GG

DANIEL L. TORRES,

Plaintiff-Appellant,

versus

3M COMPANY,
3M OCCUPATIONAL SAFETY LLC,
AEARO HOLDING, LLC,
AEARO INTERMEDIATE, LLC,
AEARO, LLC,
AEARO TECHNOLOGIES, LLC,

Defendants-Appellees.

STATUS REPORT REGARDING DEBTORS'
CHAPTER 11 RESTRUCTURING PROCEEDING

Aearo Technologies LLC, Aearo Holding LLC, Aearo Intermediate LLC, Aearo LLC, and 3M Occupational Safety LLC (“Debtors”), by and through their undersigned counsel, hereby submit this Status Report Regarding Debtors’ Chapter 11 Restructuring Proceeding pursuant to the August 22, 2022 orders¹ entered by the Court staying certain appeals and requesting that Debtors provide a monthly status report to the Court regarding the bankruptcy proceeding:

1. On September 29, 2022, this Court ordered that the following appeals should resume, in light of the bankruptcy court’s decision to lift the automatic stay in these cases: *Luke Estes v. 3M Co., et al.*, No. 21-13135-GG (11th Cir.); *Stephen Hacker v. 3M Co., et al.*, No. 21-13133-GG (11th Cir.); *Lewis Keefer v. 3M Co., et al.*, No. 21-13131-GG (11th Cir.); *Lloyd Baker v. 3M Co., et al.*, No. 21-12517-GG (11th Cir.); *Brandon Adkins v. 3M Co., et al.*, No. 22-12812 (11th Cir.); *Steven Wilkerson v. 3M Co., et al.*, No. 21-12719

¹ See, e.g., *Luke Estes v. 3M Co., et al.*, No. 21-13135-GG (11th Cir. Aug. 22, 2022); *Stephen Hacker v. 3M Co., et al.*, No. 21-13133-GG (11th Cir. Aug. 22, 2022); *Lewis Keefer v. 3M Co., et al.*, No. 21-13131-GG (11th Cir. Aug. 22, 2022); *Lloyd Baker v. 3M Co., et al.*, No. 21-12517-GG (11th Cir. Aug. 22, 2022); *Carl Sylvain v. 3M Co., et al.*, No. 22-12273 (11th Cir. Aug. 22, 2022); *Daniel Torres v. 3M Co., et al.*, No. 22-12403 (11th Cir. Aug. 22, 2022).

(11th Cir.); *Denise Kelley v. 3M Co., et al.*, No. 22-11607 (11th Cir.). The Court has set briefing schedules in each of these appeals, which are proceeding accordingly.²

2. The following appeals are still subject to the automatic stay and the stay order issued by this Court on August 22, 2022: *Aaron Bonenfant, et al. v. 3M Co., et al.*, No. 22-11897 (11th Cir.); *Carl Sylvain v. 3M Co., et al.*, No. 22-12273 (11th Cir.); *Daniel Torres v. 3M Co., et al.*, No. 22-12403 (11th Cir.).

3. The chapter 11 cases remain pending in the bankruptcy court.

Debtors will continue to provide monthly status updates as to the status of the chapter 11 cases.

² On December 7, 2022, the Court granted appellant's voluntary motion to dismiss in *Kelley*.

Respectfully submitted,

s/George W. Hicks, Jr.

GEORGE W. HICKS, JR.

Counsel of Record

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May 15, 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the CM/ECF system. I certify that all participants in this case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/George W. Hicks, Jr.
George W. Hicks, Jr.